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Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.  
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Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**PROPOSED AGENDA FOR MATTERS SCHEDULED  
TO BE HEARD ON MAY 23, 2013 AT 2:00 P.M. (EST)**

Location of Hearing: United States Bankruptcy Court for the Southern District of New York,  
Alexander Hamilton U.S. Custom House, Courtroom 501, One Bowling Green, New York, NY  
10004-1408

**I. FINAL PRE-TRIAL CONFERENCE ON RMBS TRUST SETTLEMENT**

- 1.** Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for  
Approval of RMBS Trust Settlement Agreements [Docket No. 1887]

**Related Documents:**

- a. Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust  
Settlement Agreements [Docket No. 320]
- i. Notice of Filing of Corrected Exhibit 6 to Debtors' Motion  
Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS  
Trust Settlement Agreements [Docket No. 321]

- ii. Notice of Filing of Corrected Exhibit 5 to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 328]
- b. Debtors' Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 1176]

**Scheduling Orders:**

- a. Revised Joint Omnibus Scheduling Order and Provisions for Other Relief Regarding (I) Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements, and (II) The RMBS Trustees' Limited Objection to the Sale Motion [Docket No. 945]
- b. Second Revised Joint Omnibus Scheduling Order Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 1551]
- c. Third Revised Joint Omnibus Scheduling Order and Provisions for Other Relief Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 1926]
- d. Fourth Revised Joint Omnibus Scheduling Order and Provisions for Other Relief Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2528]
- e. Fifth Revised Joint Omnibus Scheduling Order and Provisions for Other Relief Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 3306]
- f. Supplement to the Fifth Revised Joint Omnibus Scheduling Order and Provisions for Other Relief Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 3731]

**Responses to Settlement Motion:**

- a. Triaxx's Objection to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 481]
- b. Steering Committee Investors' Statement in Support of Settlement and Response to Settlement Objections [Docket No. 1739]
- c. Limited Objection of Amherst Advisory & Management, LLC to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2297]

- d. Lead Plaintiff's Limited Objection to Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2302]
- e. Joinder of Union Central Life Insurance Company, Ameritas Life Insurance Corp., and Acacia Life Insurance Company to Lead Plaintiff's Limited Objection to Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2304]
- f. Joinder of Cambridge Place Investment Management Inc. to Lead Plaintiff's Limited Objection to Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2306]
- g. Response of AIG Asset Management (U.S.), LLC the Allstate Entities, Massachusetts Mutual Life Insurance Company, and the Prudential Entities to Debtors' Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreement [Docket No. 2307]
- h. Triaxx's Objection to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreement [Docket No. 2308]
  - i. Declaration of Claire L. Huene [In Support of Triaxx's Objection to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreement] [Docket No. 2309]
- i. Objection of Assured Guaranty Municipal Corp. and Certain Affiliates to Debtors' Motion Pursuant to Bankruptcy Rule 9019 for Order Approving RMBS Trust Settlement Agreements [Docket No. 2791]
- j. Objection of MBIA Insurance Corporation to Debtors' Motion Pursuant to Bankruptcy Rule 9019 for Order Approving RMBS Trust Settlement Agreements [Docket No. 2810]
  - i. Declaration of Jared Stanisci in Support of Objection of MBIA Insurance Corporation to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2811]
  - ii. Declaration of Jared Stanisci in Support of Objection of MBIA Insurance Corporation to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2812]

- k. Objection of Wilmington Trust, National Association to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2814]
  - i. Declaration of Mark A. Lightner in Support of the Objection of Wilmington Trust, National Association to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2815]
- l. Objection of Financial Guaranty Insurance Company to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2819]
  - i. Appendix to the Objection of Financial Guaranty Insurance Company to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2820]
  - ii. Declaration of Erin Brady re: Objection of Financial Guaranty Insurance Company to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2821]
- m. Objection of the Ad Hoc Group of Junior Secured Noteholders to Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2824]
  - i. Declaration of Harrison Denman in Support of Ad Hoc Group's Objection to Debtors' Motion for Approval of RMB Trust Settlement Agreements [Docket No. 2826]
- n. Objection of the Official Committee of Unsecured Creditors to the Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2825]
  - i. Declaration of Kenneth H. Eckstein in Support of Objection of the Official Committee of Unsecured Creditors to the Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2828]
  - ii. Notice of Filing of Corrected Exhibit D to Declaration of Kenneth H. Eckstein in Support of Objection of the Official Committee of Unsecured Creditors to the Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2851]

- o. RMBS Trustees' Statement Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2833]

**Replies to Objections to Settlement Motion:**

- a. Debtors' Reply Brief re *Iridium* Factors in Support of Motion for Approval of RMBS Settlement Agreements [Docket No. 2803]
- b. Debtors' Reply Brief re *Non-Iridium* Issues in Support of Motion for Approval of RMBS Settlement Agreements [Docket No. 2804]
  - i. Declaration of LaShann M. DeArcy in Further Support of Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Settlement Agreements [Docket No. 2813]
- c. The Steering Committee Investors' Consolidated Reply to the Objections to the RMBS Trust Settlement Agreement [Docket No. 2808]
- d. Ally Financial, Inc.'s Omnibus Reply to the Objections to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements Submitted by the Official Committee of Unsecured Creditors Financial Guaranty Insurance Company, MBIA Insurance Corporation, and Wilmington Trust, National Association [Docket No. 2816]
  - i. Declaration of Jonathan D. Janow in Support of Ally Financial, Inc.'s Omnibus Reply to the Objections to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2817]
- e. Ally Financial, Inc.'s Reply to the Objection of the Ad Hoc Committee of Junior Secured Noteholders to the Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 3009]
- f. Debtors' Reply Brief re Objection of Assured Guaranty to Motion for Approval of RMBS Trust Settlement Agreements [Docket No. 3218]
  - i. Declaration of LaShann M. DeArcy in Further Support of Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Settlement Agreements [Docket No. 3220]
- g. Debtors' Reply Brief re Objection of Junior Secured Noteholders to Motion for Approval of RMBS Settlement Agreements [Docket No. 3221]
  - i. Declaration of LaShann M. DeArcy in Further Support of Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Settlement Agreements [Docket No. 3222]

**Designations of Expert Witnesses and Expert Reports**

- a. The Bank of New York Mellon Trust Company, N.A., The Bank of New York Mellon, Deutsche Bank Trust Company Americas, Deutsche Bank National Trust Company, U.S. Bank National Association and Wells Fargo Bank, N.A.'s Designation of Expert Witness Pursuant to the Second Revised Joint Omnibus Scheduling Order Regarding Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 1661]
- b. Debtors' Federal Rule of Civil Procedure 26(a)(2) Expert Disclosures [Docket No. 1664]
- c. Federal Guaranty Insurance Company's Notice of Designation of Experts [Docket No. 1667]
- d. MBIA Insurance Corporation's Designation of Experts [Docket No. 1669]
- e. The Official Committee of Unsecured Creditors' Designation of Expert Witnesses [Docket No. 1671]
- f. Debtors' Amended Federal Rule of Civil Procedure 26(A)(2) Expert Disclosures [Docket No. 1712]
- g. Financial Guaranty Insurance Company's Amended Notice of Designation of Experts [Docket No. 2155]
- h. Reply Declaration of Jeffrey A. Lipps Regarding Debtors' Second Supplemental Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of RMBS Trust Settlement Agreements [Docket No. 2805]
- i. Expert Report of Katherine Schipper [Docket No. 2806]
- j. Reply Declaration of Frank Sillman in Support of Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2807]
- k. Declaration of C.J. Brown [Docket No. 2811]
- l. Expert Report of Dr. Clifford Rossi [Docket No. 2822]
- m. Financial Guaranty Insurance Company's Federal Rule of Civil Procedure 26(a)(2) Expert Disclosures [Docket No. 2823]
- n. The Official Committee of Unsecured Creditors' Federal Rule of Civil Procedure 26(a)(2) Expert Disclosures [Docket No. 2829], including:
  - i. Exhibit A: Expert Report of Bradford Cornell, Ph.D.
  - ii. Exhibit B: Expert Report of J.F. Morrow

- o. Expert Report of William H. Greene, Ph. D. [Docket No. 2835]
- p. Supplemental Declaration of Frank Sillman in Support of Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements [Docket No. 2969]

**Pretrial Submissions, Deposition Designations, and Exhibit Lists**

- a. Talcott Franklin Group Fact Witness Designation [Docket No. 1732]
- b. Debtors' Fact Witness Disclosures Pursuant to Rule 26 of the Federal Rules of Civil Procedure [Docket No. 1735]
- c. MBIA Insurance Corporation's Designation of Fact Witnesses [Docket No. 1745]
- d. Federal Guaranty Insurance Corporation's Fact Witness Disclosures Pursuant to Rule 26 of the Federal Rules of Civil Procedure [Docket No. 1747]
- e. Debtors' Amended Fact Witness Disclosures Pursuant to Rule 26 of the Federal Rules of Civil Procedure [Docket No. 2091]
- f. Debtors' Second Amended Fact Witness Disclosures Pursuant to Rule 26 of the Federal Rules of Civil Procedure [Docket No. 2903]
- g. Wilmington Trust, National Association's Pretrial Submissions, including deposition and trial exhibit designations [Docket No. 3742]
- h. Debtors' Exhibit List [Docket No. 3743]
- i. Financial Guaranty Insurance Company's Pretrial Submissions [Docket No. 3744], including:
  - i. Exhibit A: Exhibit List
- j. MBIA Insurance Corporation's Pretrial Submissions Pursuant to Fed. R. Civ. P. 26(a)(3) [Docket No. 3745], including:
  - i. Exhibit A: List Of Adverse Witnesses From Whom MBIA May Seek Testimony At The Hearing On The 9019 Motion
  - ii. Exhibit B: Designations Of Deposition Testimony That MBIA May Introduce As Evidence At The Hearing On The 9019 Motion
  - iii. Exhibit C: List Of Exhibits MBIA Expects to Offer Or May Offer As Evidence At The Hearing On The 9019 Motion
- k. The Official Committee of Unsecured Creditors' Pretrial Submissions [Docket No. 3747], including:

- i. Exhibit A: Committee's List of Adverse Witnesses for the hearing on the 9019 Motion
  - ii. Exhibit B: Committee's Deposition Designations for the hearing on the 9019 Motion
  - iii. Exhibit C: Committee's Exhibit List for the hearing on the 9019 Motion
- I. Ad Hoc Group of Junior Secured Noteholders' Pretrial Submissions [Docket No. 3751]

**Motions to Seal Documents and Related Filings**

- a. Joint Application of the Debtors, AFI, the Official Committee of Unsecured Creditors and Certain Objecting Committee Members in their Individual Capacity, Pursuant to 11 U.S.C. § 107(B) and Fed. R. Bankr. P. 9018, to File Objections to the Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements, and Replies to Such Objections, Under Seal [Docket No. 2818]
  - i. Order Granting Joint Application of the Debtors, AFI, the Official Committee of Unsecured Creditors and Certain Objecting Committee Members in their Individual Capacity, Pursuant to 11 U.S.C. § 107(B) and Fed. R. Bankr. P. 9018, to File Objections to the Debtors' Motion Pursuant to Fed. R. Bankr. P. 9019 for Approval of the RMBS Trust Settlement Agreements, and Replies to Such Objections, Under Seal [Docket No. 3269]
- b. Motion of Ad Hoc Group of Junior Secured Noteholders Pursuant to Section 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Case Management Order for Authority to File Objection and Supporting Exhibits Under Seal [Docket No. 2827]
  - i. Order Granting Motion of Ad Hoc Group of Junior Secured Noteholders Pursuant to Section 107(b) of the Bankruptcy Code, Bankruptcy Rule 9018, and Case Management Order for Authority to File Objection and Supporting Exhibits Under Seal [Docket No. 3270]
- c. Debtors' Motion, Pursuant to 11 U.S.C. § 107(B) and Fed. R. Bankr. P. 9018, to File a Reply to the Objection of the Junior Secured Noteholders to Motion for Approval of RMBS Settlement Agreements, Under Seal [Docket No. 3224]
  - i. Order Granting the Debtors' Motion, Pursuant to 11 U.S.C. § 107(B) and Fed. R. Bankr. P. 9018, to File a Reply to the Objection of the Junior Secured Noteholders to Motion for Approval of RMBS Settlement Agreements, Under Seal [Docket No. 3272]



## **II. CONTESTED MATTERS**

1. Debtors' Daubert Motion to Exclude Testimony of MBIA's Expert C.J. Brown [Docket No. 3606]

### **Related Documents:**

- a. Declaration of LaShann M. DeArcy in Support of Debtors' Daubert Motion to Exclude Testimony of MBIA's Expert C.J. Brown [Docket No. 3607]

### **Responses:**

- a. MBIA's Response and Opposition to the Debtors' Daubert Motion to Exclude Testimony of MBIA's Expert C.J. Brown [Docket No. 3723]

### **Replies:**

- a. Debtors' Reply in Support of Daubert Motion to Exclude Testimony of MBIA's Expert C.J. Brown [Docket No. 3785]
  - i. Declaration of LaShann M. DeArcy in Support of Debtors' Reply in Support of Daubert Motion to Exclude Testimony of MBIA's Expert C.J. Brown [Docket No. 3786]

**Status:** The hearing on this matter will be going forward.

2. Debtors' Daubert Motion to Exclude Testimony of FGIC's Expert Clifford Rossi [Docket No. 3608]

### **Related Documents:**

- a. Declaration of LaShann M. DeArcy in Support of Debtors' Daubert Motion to Exclude Testimony of FGIC's Expert Clifford Rossi [Docket No. 3609]

### **Responses:**

- a. Financial Guaranty Insurance Company's Response To Debtors Daubert Motion To Exclude The Testimony Of FGICs Expert Clifford Rossi And Supplemental Objection To The Testimony Of Jeffrey Lipps [Docket No. 3724]

**Status:** The hearing on this matter will be going forward.

3. Debtors' Motion *In Limine* to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3613]

**Related Documents:**

- a. Declaration of Anthony Princi in Support of Debtors' Motion *In Limine* to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3615]

**Responses:**

- a. Response of the Official Committee of Unsecured Creditors to Debtors' Motion to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3721]
- b. Statement Joinder Of Financial Guaranty Insurance Company In Support Of The Official Committee Of Unsecured Creditors To Debtors Motion To Strike The Objection And Exclude The Evidence Of The Official Committee Of Unsecured Creditors In Opposition To The RMBS Trust Settlement [Docket No. 3722]
- c. MBIA's Response and Opposition to the Debtors' Motion *In Limine* to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3725]
- d. Joinder of Wilmington Trust, N.A. in Support of the Response of the Official Committee of Unsecured Creditors To Debtors Motion to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement, dated May 14, 2013 [Docket No. 3728]

**Replies:**

- a. Debtors Reply and in Further Support of Debtors Motion *In Limine* to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3793]
  - i. Supplemental Declaration of Anthony Princi in Support of the Debtors Reply and in Further Support of Debtors Motion *In Limine* to Strike the Objection and Exclude the Evidence of the Official Committee of Unsecured Creditors in Opposition to the RMBS Trust Settlement [Docket No. 3789]

**Status:** The hearing on this matter will be going forward.

- 4. Motion Of The Official Committee Of Unsecured Creditors To Preclude The Proposed Trial Testimony Of Talcott J. Franklin [Docket No. 3610]

**Related Documents:** None.

**Responses:**

- a. Joinder of Financial Guaranty Insurance Company in Support of Motions *In Limine* of the Official Committee of Unsecured Creditors [Docket No. 3618]
- b. Joinder of MBIA Insurance Corporation to the Motion of the Official Committee of Unsecured Creditors to Preclude the Proposed Trial Testimony of Talcott J. Franklin [Docket No. 3632]
- c. Talcott Franklin Investors Group's Opposition to the Motion to Preclude the Testimony of Talcott J. Franklin [Docket No. 3696]

**Replies:**

- a. Reply of the Official Committee of Unsecured Creditors in Further Support of its Motion to Preclude the Testimony of Talcott J. Franklin [Docket No. 3787]

**Status:** The hearing on this matter will be going forward.

- 5. Motion Of The Official Committee Of Unsecured Creditors To Preclude The Testimony Of James Whitlinger [Docket No. 3611]

**Related Documents:**

- a. Notice of Presentment of the Application of the Official Committee of Unsecured Creditors Pursuant to 11 U.S.C. § 107(b) and Rule 9018 of the Federal Rules of Bankruptcy Procedure to File the Exhibits to the Reply of the Official Committee of Unsecured Creditors in Further Support of its Motion to Preclude the Testimony of James Whitlinger Under Seal [Docket No. 3791]

**Responses:**

- a. Joinder of Financial Guaranty Insurance Company in Support of Motions *In Limine* of the Official Committee of Unsecured Creditors [Docket No. 3618]
- b. Joinder of MBIA Insurance Corporation to the Motion of the Official Committee of Unsecured Creditors to Preclude the Testimony of James Whitlinger [Docket No. 3631]
- c. Debtors' Opposition to Motion to Preclude the Testimony of James Whitlinger [Docket No. 3712]
  - i. Declaration of LaShann M. DeArcy in Support of Debtors' Opposition to Motion to Preclude the Testimony of James Whitlinger [Docket No. 3713]

**Replies:**

- a. Reply of the Official Committee of Unsecured Creditors in Further Support of its Motion to Preclude the Testimony of James Whitlinger [Docket No. 3792]

**Status:** The hearing on this matter will be going forward.

6. Motion *In Limine* of the Official Committee of Unsecured Creditors to Preclude the Expert Testimony of Jeffrey A. Lipps in Connection with the Debtors' Motion for Approval of the RMBS Settlement Agreements [Docket No. 3612]

**Related Documents:** None.

**Responses:**

- a. Joinder of Financial Guaranty Insurance Company in Support of Motions *In Limine* of the Official Committee of Unsecured Creditors [Docket No. 3618]
- b. Joinder of MBIA Insurance Corporation to the Motion *In Limine* of the Official Committee of Unsecured Creditors to Preclude the Expert Testimony of Jeffrey A. Lipps in Connection with the Debtors' Motion for Approval of the RMBS Trust Settlement Agreements [Docket No. 3629]
- c. Debtors' Opposition to Motion to Preclude the Expert Testimony of Jeffrey A. Lipps [Docket No. 3714]
  - i. Declaration of LaShann M. DeArcy in Support of Debtors' Opposition to Motion to Preclude the Expert Testimony of Jeffrey A. Lipps [Docket No. 3715]
- d. Financial Guaranty Insurance Company's Response To Debtors Daubert Motion To Exclude The Testimony Of FGICs Expert Clifford Rossi And Supplemental Objection To The Testimony Of Jeffrey Lipps [Docket No. 3724]

**Replies:**

- a. Reply in Further Support of Motion *In Limine* of the Official Committee of Unsecured Creditors to Preclude the Expert Testimony of Jeffrey A. Lipps in Connection with the Debtors' Motion for Approval of the RMBS Trust Settlement Agreements [Docket No. 3784]
- b. Debtors' Response to Financial Guaranty Insurance Company's "Supplemental" Objection to the Testimony of Jeffrey A. Lipps [Docket No. 3790]

**Status:** The hearing on this matter will be going forward.

7. Motion of the Official Committee of Unsecured Creditors to Preclude Timothy Devine from Testifying About Any of the Matters as to Which Discovery From Him Has Been Blocked Based on a Claim of Privilege [Docket No. 3617]

**Related Documents:**

- a. Notice of Filing of Corrected Exhibit B to the Motion of the Official Committee of Unsecured Creditors to Preclude Timothy Devine From Testifying About Any of the Matters as to Which Discovery From Him Has Been Blocked Based on a Claim Of Privilege [Docket No. 3620]

**Responses:**

- a. Joinder of Financial Guaranty Insurance Company in Support of Motions *In Limine* of the Official Committee of Unsecured Creditors [Docket No. 3618]
- b. Joinder of MBIA Insurance Corporation to the Motion of the Official Committee of Unsecured Creditors to Preclude Timothy Devine from Testifying About Any of the Matters as to Which Discovery From Him Has Been Blocked Based on a Claim of Privilege [Docket No. 3630]
- c. Debtors' Opposition to Motion to Preclude Testimony of Timothy Devine [Docket No. 3716]
- i. Declaration of LaShann M. DeArcy in Support of Debtors' Opposition to Motion to Preclude Testimony of Timothy Devine [Docket No. 3717]
- d. Ally Financial, Inc.'s Opposition to the Motion of the Official Committee of Unsecured Creditors to Preclude Timothy Devine From Testifying About Any of the Matters as to Which Discovery From Him has Been Blocked Based on a Claim of Privilege [Docket No. 3718]
- i. Declaration of Jonathan D. Janow in Support of Ally Financial, Inc.'s Opposition to the Motion of the Official Committee of Unsecured Creditors to Preclude Timothy Devine From Testifying About Any of the Matters as to Which Discovery From Him has Been Blocked Based on a Claim of Privilege [Docket No. 3719]

**Replies:**

- a. Reply of the Official Committee of Unsecured Creditors in Further Support of its Motion to Preclude the Testimony of Timothy Devine [Docket No. 3788]

**Status:** The hearing on this matter will be going forward.

**III. UNCONTESTED MATTERS**

- 1.** Debtors' Motion to Exclude the Deposition Transcripts of Timothy Devine, William Greene, and Mark Renzi [Docket No. 3797]

**Related Documents:**

- a. Declaration of LaShann M. DeArcy in Support of Debtors' Motion to Exclude the Deposition Testimony of Timothy Devine, William Greene, and Mark Renzi [Docket No. 3798]

**Responses:** None.

**Status:** The hearing on this matter will be going forward.

Dated: May 21, 2013  
New York, New York

/s/ Gary S. Lee  
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